

It isn't always the man with the loudest shout who makes the longest impression. The passer may turn his head at the sound of your whistle, but does he turn his feet?—Mahn's Messenger.

THE SALT LAKE HERALD.

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No Wedding Bells for Him.
Happy Hooligan, Maud, and the perennial Lulu and Leander.
— All in Tomorrow's Herald.

BACK EYE FOR SWEET CHARITY

Late Russell Sage Was Not in Giving Vein When He made His Will.

PITTANCE FOR RELATIVES

WIDOW GETS BULK OF VAST ESTATE.

New York, July 27.—The will of Russell Sage, which was filed for probate today, bequeathes all of his estate to his widow, Margaret Olivia Sage, after the payment of \$25,000 to each of Mr. Sage's nephews and nieces, and \$10,000 to his sister, Mrs. Fanny Chapin of Oneida, N. Y. Mrs. Chapin died since the will was made. The will also provides that in case of any of the beneficiaries contesting the probate of it, they shall be cut off from any share in the estate.

There was nothing in the will to show the value of Mr. Sage's estate. The will was dated February 11, 1901, and was sworn to by Edward Townsend and R. W. Freedman as witnesses. It consists of about 800 words. There are eleven sections.

Some Small Bequests.

The first section provides for the payment of Mr. Sage's debts and funeral expenses. By the second, Mr. Sage bequeathes \$10,000 to Mrs. Fanny Chapin, wife of Samuel Chapin of Oneida, N. Y., his sister. By the third, he gave \$25,000 to each of his nephews and nieces, and provided that in case any of them died before him their allotment shall be distributed among their issue. The fourth section provides that "all the rest, residue and remainder of my estate I give, devise and bequeath to my wife, Margaret Olivia Sage, to have and to hold the same to her absolutely and forever."

The fifth section provides that this provision for Mrs. Sage is in lieu of all right of dower in the estate.

By the sixth section Mr. Sage empowered his executors to sell all his real estate. In the seventh section he provided that in case his bequests to his sister, nephews and nieces should lapse or fail, the amounts as bequeathed shall revert to Mrs. Sage.

Executors Appointed.

By the eighth section, Margaret Olivia Sage, Dr. John P. Munn, Almon Goodwin and Charles W. Osborne, "long my confidential and trusted assistants," were appointed executors and the provisions of the will and it was provided that in case Mr. Osborne refused or was unable to serve as executor Edward C. Osborne should fill the vacancy. It provided also that none of these persons should be requested to give bonds.

Under the ninth section, the executors were authorized to rent an office to transact the business of Mr. Sage's estate.

The tenth section revokes all former or other wills or testamentary dispositions at any time heretofore made.

Will Lose Pittance.

The eleventh section read as follows: "Should any of the beneficiaries under the will other than my said wife, object to the probate thereof or in any wise directly or indirectly contest or aid in contesting the same or the provisions thereof, or the distribution of my estate thereunder, then and in that event I annul any bequest herein made to such beneficiary, and it is my will that such beneficiary shall be absolutely barred and cut off from any share in my estate."

Value Estimated.

While there was nothing in the will to show the value of Mr. Sage's estate, attorneys for Mr. Sage estimate it between \$70,000,000 and \$80,000,000, of which amount about \$3,000,000 is outstanding in loans.

In the petition for the probate of the Sage will, the value of Mr. Sage's real estate was given more than \$1,000,000 and the value of his personal property as more than \$20,000.

A photographer on behalf of Charles A. Gardner, counsel for Dr. J. P. Munn and Charles W. Osborne, two of the executors of the will, called at the surrogate's office this afternoon and took several negatives of the will.

NEGRO MURDERERS HANGED

Florida Mob Wreaks Vengeance Upon Two Darkies Who Killed a White Man.

Tampa, Fla., July 27.—John Black and William Reagin, negroes, were lynched by a mob of 200 men near Fort Gardner, Polk county, last night. The negroes killed Ed Granger, a white turpentine operator, without provocation, and were captured by Sheriff Wiggins and three deputies near the scene of the killing a few hours afterward. The mob halted the sheriff and posse and took possession of the prisoners. Both confessed and were hanged to a nearby tree, being afterward riddled with bullets. The mob immediately dispersed and the bodies were found this morning.

SUIT BROUGHT IN THE UNITED STATES COURT

Denver, July 27.—Suit for cancellation of the franchise claimed by the Denver Gas & Electric company as a result of the May election, similar to the suit brought against the Traction company a week ago, was filed today in the United States district court.

The complaint alleges that thousands voted for the franchise who under the law were not owners of property and taxpayers and that the company was instrumental in causing these men to cast the fraudulent votes.

WOOL GROWERS GOING TO ZION

Their Big National Convention Will Be Held Here Early Next Year.

HAVE BIG ORGANIZATION

PLAN TO MAKE IT LARGEST STOCKMAN'S COMBINE.

The National Wool Growers' association will hold its annual convention in 1907 in Salt Lake. Word to this effect has been received here. Secretary Fisher Harris and the Commercial club have been working for some time to bring the convention here, and the executive committee of the association has decided to accept Salt Lake's invitation.

The date for the convention has not yet been set, but it will probably be held between Jan. 20 and 28, 1907. The association numbers over 3,000 members, and its coming is regarded as an important event for Salt Lake by the business men and Commercial club members who have been working on the matter.

Has Extensive Plans.

The association, through its officers, is trying to make the National Wool Growers' association the largest organization of stockmen in the world, and further plans for its campaign along this line will be made at the Salt Lake meeting.

Last January, when the association met in Denver, it had run down to less than fifty members who paid their dues. After the Denver meeting a red-hot membership campaign was inaugurated by George S. Walker of Cheyenne, Wyo., secretary of the association, with the result that in the intervening months he has secured over 3,000 members, as stated.

Mr. Walker and the other officers of the association believe that by the time of the Salt Lake meeting the association will have fully 5,000 members.

Objects of Association.

The association has many objects, all along the line of promoting the wool growing industry. Some idea of its work may be gained from the fact that it was chiefly instrumental in securing the repeal by the recent congress of the bill providing that livestock in transit must be unloaded every twenty-eight hours. This measure was regarded as working a great hardship on the sheepmen, and a measure was secured extending the time to thirty-six hours, with other provisions which rendered the working of the less irksome. Another prime object of the association is to work for the retention of the tariff on wool.

United States Senator Francis E. Warren of Wyoming is president of the association, and the other officers are: Western vice president, Dr. J. M. Wilson, Douglas, Wyo.; eastern vice president, Mortimer Levering, Chicago, Ill.; secretary, George S. Walker, Cheyenne, Wyo.; treasurer, A. J. Knollin, Chicago, Ill.

HEADLESS BODY IS FOUND

Ohio Farmer Enticed From Railway Station and Murdered in Berry Patch.

Warren, O., July 27.—Much excitement prevails today at Leavittsburg, O., near here, as a result of the finding of the headless body of a man in a berry patch. The head was later found in a near-by hay field. Both body and head were badly decomposed.

In the pockets were found letters showing that the man was Albert Kennedy of Ellis, Mo. He had recently been living at Mantua, where a brother now resides. Kennedy is known to have had \$30 just before his death. Only 75 cents and a silver watch were found in the pockets of the dead man.

Kennedy went west a few weeks ago to sell his farm and he intended to bring his daughter back to Ohio with him. If his daughter accompanied him she has disappeared. The police have taken steps to find if the girl accompanied her father and, if so, to learn what has become of her.

Kennedy was last seen in Kansas City on June 21. It is supposed that he was inveigled away from Lee station at Leavittsburg, where he was to have changed cars, and then killed for his money. It is believed that a dog may have carried the head from the body.

Kennedy was a temperate, quiet man of about 35.

THREE COACHES DERAILED

Twenty-Five Persons Injured in Accident on St. Louis & San Francisco Road.

Springfield, Mo., July 27.—Twenty-five passengers were injured, two probably fatally, and over a score more were badly shaken up in the derailment here last night of three coaches of a St. Louis and San Francisco train bound for St. Louis.

The probably fatally hurt are: R. J. Thorne, Monticello, Ill.; concussion of brain.

Mrs. Kate Schoultz, Highgate, Mo.; head injured; hurt internally.

Seriously injured: Florence Richmond, Muskogee, I. T.; injured in head.

Susanne Huffman, Rush Springs, I. T.; hips injured.

Drury Holt, Carthage, Mo.; back injured.

Mrs. J. S. Moore, Springfield, Mo.; body bruised.

J. A. Murphy, Cape Girardeau, Mo.; cut.

The train, which was ten minutes late, had left the station and was just getting under way when the trucks of a forward coach left the track at a split switch and was thrown on its side. This coach contained about sixty passengers and all received injuries. The two sleepers remained on the rails.

W. E. Tyler, superintendent of the second district of the Frisco, personally supervised the relief of the injured.

IN A HOLE.



Cross Section Showing a Certain Party's Dilemma.

POINT SCORED BY THE DEFENSE

Admission Made by Susie Wagner, Former Maid in the Hartje Household.

Pittsburg, July 27.—Susie Wagner, formerly a maid in the employ of the Hartje household, was a witness for Mr. Hartje today in his suit for divorce, but her testimony made an important point for Mrs. Hartje.

That Susie Wagner received three letters from Mrs. Mary Scott Hartje while Susie was in Germany was brought out. Hitherto only two letters had been mentioned, one of them being the disputed letter known as exhibit No. 6.

Miss Wagner said she gave the second letter to "Ed" Hartje in New York. Mrs. Hartje's attorneys have contended all along that exhibit No. 6 was a forged reproduction of another letter.

The admission that the second letter reached the Hartje side two months before No. 6 is regarded as important in view of the contention of Mrs. Hartje's counsel.

Susie Wagner, on cross-examination, admitted that she had received a letter from Mrs. Hartje which contained substantially the same things as are found in the exhibit No. 6 and which she says she gave to Attorney E. G. Hartje in New York.

Letter Not in Evidence.

Although the new letter has been traced to the hands of Mr. Hartje's counsel by their own witness, it was not offered as a "standard."

In order that she should not be further subjected to annoyance at the hands of rowdies three detectives guarded Mrs. Hartje while on the street today. The hearing was adjourned today until next week when in two or three days it is expected the taking of evidence will be completed.

It is expected that the plaintiff will go on the stand before the close and deny certain allegations made against him.

Professor W. A. Drake, the handwriting expert, for Hartje, said the contest over the handwriting in the case had been the longest and hardest fought since the famous Junius letters written in England, over a century ago.

NO JURISDICTION.

New York, July 27.—An application made by stockholders of Wells, Fargo & Co. for a writ of mandamus compelling the officers of the company to submit its books to an examination was denied today by Justice White in Brooklyn. Justice White ruled that the writ could only issue in New York county.

CRONE ACCUSED BY KERN

One of the Victims of Murderous Assault Makes Positive Identification.

Kansas City, Mo., July 27.—Frank Kern, who with Bertha Bowlin, were brutally assaulted late at night a week ago on the Kersey Coates terrace, fully regained consciousness tonight and made a statement in which he said that Albert M. Crone committed the assault. Crone is now in the county jail charged with the crime.

Kern in his statement said that he and Miss Bowlin were walking along the terrace when they met Crone, and that the latter immediately began to abuse both of them. Before Kern realized Crone's intentions, according to the statement, Crone hit Kern over the head with a lead pipe and Kern never fully regained his senses again until tonight.

Miss Bowlin, who died two days after the assault, during a period of semi-consciousness when asked who struck her, murmured the word "Bert." Crone has stoutly maintained his innocence ever since his arrest. He asserted that he did not know Kern and that he was in a saloon on Grand avenue, a mile from Kersey Coates' terrace when the assault occurred.

Several witnesses support his alibi. Kern stated positively tonight that he and Crone were acquainted.

COMPROMISE REACHED.

Miners in Fifth Ohio Sub-District to Go Back to Work.

Wheeling, W. Va., July 27.—The conference of miners and operators of the Fifth Ohio sub-district, which included Belmont, Harrison and Jefferson counties in Ohio, and the four West Virginia pan-handle counties, today reached an agreement ending the long drawn out strike of four months, in which 8,000 miners were involved and by next Monday every mine in the district will have resumed. The strike is still on in the upper end of the Fifth district, involving 4,000 men in the Stark-Tuscarawas section, and these are the only Ohio miners on strike. The settlement is a compromise.

Each day until August 20th, we will have a rebus in this paper somewhere.

No. 27 is in this paper

FOUND GUILTY OF LAND FRAUD

Some of the Oregon Offenders Will Receive Their Sentences Today.

Portland, Ore., July 27.—Martin G. Hoge, city attorney of Medford; Henry W. Miller and Frank E. Kincart will come before Judge William H. Hunt for sentence tomorrow morning. Charles Nickell, editor of the Southern Oregonian and former United States commissioner at Medford, will appear for sentence Monday morning.

Aug. 6. Hoge, who is sick, may appear later for sentence if he desires more time. Nickell was allowed to go on his present bond of \$4,000 until appearance for sentence.

Hoge and Nickell were both found guilty as charged in a verdict returned into the United States circuit court at seventeen minutes past midnight. Both are recommended to the clemency of the court.

Five ballots were taken before both defendants had been voted guilty. The first ballot was on Hoge, and stood in for conviction, 1 for acquittal and 1 blank. On the second ballot it stood 12 for conviction.

The maximum penalty which may be inflicted upon Hoge and Nickell is imprisonment for two years and a fine of \$10,000 in the discretion of the court. The minimum is 30 days imprisonment and \$500 fine.

ANGRY MOB THREATENS TO LYNCH MURDERER

Barbourville, Ky., July 27.—After an exciting chase in which bloodhounds were used, Jesse Fitzgerald, a negro, was arrested by a posse today and lodged in the local jail charged with robbing and murdering Mrs. Robert Broughton at her home near this city, Wednesday night. Fitzgerald, it is stated, made a full confession of the crime.

A negro woman servant who was the only other occupant of the house, is also under arrest. It is reported a mob is forming in the neighborhood of the Broughton home and that an attempt will be made to lynch Fitzgerald and possibly the woman.

County Judge Faulkner has announced that he will hold a special term of court August 6 to try Fitzgerald and that troops will be summoned if necessary to protect him.

FUGITIVE ARRESTED.

Pasadena, Cal., July 27.—Frank Hartwell, who is wanted at Albany, Ore., to answer a charge of embezzling \$500 from Foshay & Mason, merchants, four months ago, and also on a charge of forgery and passing bad checks in Seattle, Wash., and Salem, Ore., was arrested in a boarding-house here today. The arrest was made by Detective Copping, who recognized Hartwell from a description given in a circular.

CONSPIRACY AND FRAUD CHARGED BY GOVERNMENT

Four Bills Against Coal Companies and Others Filed in United States Court in Salt Lake.

Ex-Governor Wells and Byron Groo Accused of Making Affidavits Containing False Statements—Many Names on List of Alleged Culprits.

Charges that Former Governor Heber M. Wells, as president, and Byron Groo, as secretary of the state land board, swore to affidavits making false statements and allowing the state of Utah to become party to a scheme to defraud the government of the United States are contained in two complaints filed in the United States circuit court yesterday.

In two other complaints William F. Colton, H. G. Williams, Robert Forrester and other officials of the Utah Fuel company are accused of conspiracy to defraud the government. A long list of names of people alleged to have been drawn into the conspiracy by them is given. Among the men figuring actively for the coal company is Charles Mestyn Owen.

The United States of America is complainant in all four of the bills filed, and the Utah Fuel company and Pleasant Valley Coal company are the principal defendants. Two of the complaints, one against each company, deal with the acquisition of coal lands as agricultural lands by means of state selection by the defendant companies, through agents. The other two take up the acquisition of lands by coal entries in the federal land office. It is charged that these were fraudulently made through "dummies."

The total area of the land involved is close to 30,000 acres and the value between \$5,000,000 and \$6,000,000. It includes some of the producing coal mines of the companies. The government asks not only that the patents be declared void and the title returned to the United States, but demands pay for all the coal mined from the lands in question. The value of the latter is not estimated, but is said to run into the hundreds of thousands of dollars.

Attorney General W. H. Moody brings the actions. The bills were filed by Special Assistant Attorney General Fred A. Maynard, who presented them to District Attorney Hiram E. Booth for signature just before filing. Mr. Maynard has been engaged on the cases for some time. Although Mr. Booth denies that he took an active part in securing coal lands for the Carbon County Land company, it is not believed that he will be permitted by the department of justice to take an active part in the prosecutions. One name attached to the complaint indicates that Secretary of the Interior Ethan Allen Hitchcock and Attorney General Moody, backed by President Roosevelt, mean business. It is that of M. C. Burch, one of the ablest lawyers in the department of justice, who has general supervision of all land fraud cases. Judge Burch's name is signed to the complaint as special counsel.

Considerable curiosity was manifested after the filing of the complaints as to whether the regular counsel of the Utah Fuel company, Sutherland, Van Cott & Allison, of which Senator George Sutherland is the head, will appear on record for the defendants in these cases.

The bills filed yesterday follow the lines described exclusively in The Herald July 15 last. In that exclusive story it was stated that the suits to be started within ten days would involve the state land board in charges, as well as officials of the Utah Fuel company and Pleasant Valley Coal company.

Following is a list of persons involved in the various accusations:

Charged with making affidavits containing false statements and with allowing the state of Utah to become party to a fraud on the government:

HEBER M. WELLS, former governor of Utah and president of the state land board.

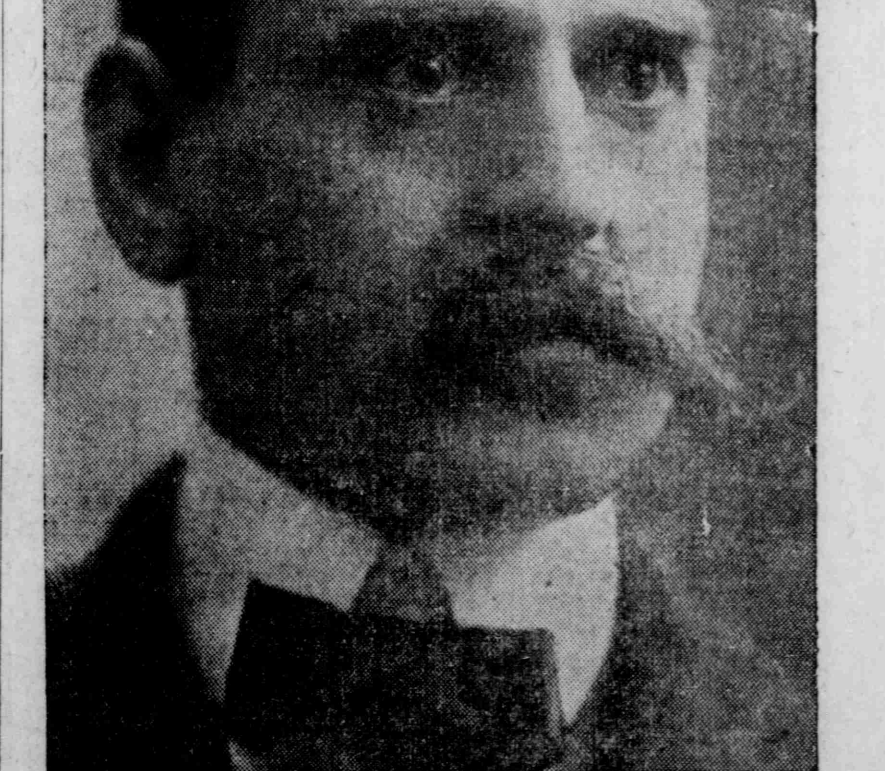
BYRON GROO, former secretary of the state land board.

Charged with conspiracy to defraud the government by securing "dummies" to make coal entries and to perjure themselves:

WILLIAM F. COLTON, president and treasurer of the Pleasant Valley Coal company.

ROBERT FORRESTER, geologist for

Continued on page 2.



ROBERT FORRESTER. Conspicuous Among Those Charged With Conspiracy and Fraud.